

## **CLARK COUNTY CODE**

### **PROVISIONS RELATING TO THE CORONER'S INQUEST (as of October 1, 2010)**

**NOTE: For your convenience, the entire chapter of the Clark County Code relating to the coroner is included in this document;** however, the specific sections most relevant to the coroner's inquest are the following: 2.12.010, 2.12.020, 2.12.050, 2.12.080, 2.12.090, 2.12.100, 2.12.110, 2.12.120, 2.12.130, 2.12.140, 2.12.150, and 2.12.160.

#### **Chapter 2.12 – Coroner**

##### **2.12.010 – Definitions.**

- (a) "Board" means the county commissioners of Clark County.
- (b) "Investigation" means an inquiry by the coroner's office and may include testimony obtained from witnesses under oath.
- (c) "Inquests" mean an inquiry before a jury, with testimony obtained under oath, duly recorded, and verdict handed down.
- (d) "Records" mean those reports duly summarized on a coroner's office form for inclusion in a register or journal whether bound or not.
- (e) "Reports" mean those findings in written form which are filed in the coroner's office, including examinations, witnesses statements, correspondence, insurance forms, and other evidence in support of the conclusions and findings recorded on the official records.
- (f) "Autopsy report" means any report of an autopsy, including all reports of laboratory examinations and other technical tests performed.
- (g) "Postmortem examination" means an examination of a dead body by a competent pathologist or licensed physician involving the opening and dissection of the body, including the removal of organs and tissues and fluids and other material for microscopic,

toxicological, chemical, bacterial, or other examination as deemed necessary to study the cause of death. "Autopsy" is a synonymous term.

- (h) "Medical examiner" means an individual licensed to practice medicine and surgery in the state of Nevada and who, when practicable, shall be a skilled pathologist with training or experience in forensic pathology and certified by the American Board of Pathology or qualified to be so certified.
- (i) "Toxicologist" is a specialist in the science dealing with poisons and their effect and with problems involved or connected therewith such as clinical, industrial or medical.
- (j) "Prosecutor" is a prosecutor exercising primary authority pursuant to NRS 228.120, NRS 228.125, NRS 228.130, NRS 228.175, NRS 228.177, NRS 252.060, NRS 252.080, NRS 252.100, or NRS 252.1.10.
- (k) "Officer" is any peace officer as defined by NRS Chapter 289.
- (l) "Qualified magistrate" means a justice of the peace from any jurisdiction within Clark County who is an attorney duly licensed to practice law in the state of Nevada.
- (m) "Presiding officer" shall mean an individual who presides over the inquest proceedings. If the death is not law-enforcement related, the presiding officer shall be an inquest hearing officer appointed by the board of county commissioners and bearing the qualifications specified in Section 2.12.020(d). If the death is caused by an officer, as defined in subsection 2.12.010(k) of this section, the presiding officer shall be a qualified magistrate as defined by subsection 2.12.010(l) of this section.
- (n) "Interested parties" are those individuals permitted to pose questions to the presiding officer to ask witnesses at an inquest. An "interested party" must be identified at the inception of the inquest and is defined as:
  - (1) A member of the deceased's family within the second degree of consanguinity;
  - (2) A person or persons causing death or members of said person or person's family within the second degree of consanguinity;
  - (3) An attorney duly licensed to practice law in the state of Nevada; or

- (4) Any other person that the magistrate deems has an interest in the proceeding.

**(Ord. 3567 § 1, 2007: Ord. 262 § 1, 1967)**

**2.12.020 – Office established—Jurisdiction—Appointment—Salaries and expenses.**

- (a) There is hereby created and established the office of county coroner for Clark County, Nevada, with jurisdiction coextensive with the boundaries of Clark County, Nevada.
- (b) The office of said county coroner and related facilities necessary to the administration of the office shall be as designated and provided by the board of county commissioners.
- (c) In accordance with Chapter 2.40.100, the county manager shall appoint as county coroner a suitable and qualified person who, serving at the pleasure of the county manager, shall be either (1) the Clark County district health officer, or Clark County health officer, who, ex officio shall serve as county coroner; and (2) a physician, surgeon, or pathologist, duly qualified and licensed under and pursuant to the laws of the state of Nevada to engage in such professional services; or (3) a competent, reputable law enforcement officer having a minimum of at least five years of law enforcement experience in Clark County, Nevada, and also having the requisite responsible experience in public or business administration for the satisfactory administration of said office. The board of county commissioners shall ratify the county manager's appointment at a regularly held commission meeting.
- (d) The board of county commissioners shall appoint at least three inquest hearing officers, who may preside over inquests that do not involve officer involved deaths. Such officers shall serve at the pleasure of the county commissioners and shall be: (1) a member in good standing of the State Bar of Nevada having a minimum of three years experience in courtroom proceedings or other adversary proceedings of a similar nature in Clark County, Nevada; or, (2) some other person who is determined by the board of county commissioners to have sufficient judicial, quasi-judicial experience or have experience as an administrative hearing officer to preside over the inquest.
- (e) If the death is caused by an officer as defined by Section 2.12.010(k), the chief judge from the township where the death

occurred shall appoint a qualified magistrate, as defined in Section 2.12.010(l), to sit as the presiding officer in the inquest.

- (f) Any and all necessary costs, salaries, fees and expenses involved in the operation of the county coroner's office shall be processed and approved as are other county claims.

**(Ord. 3567 § 2, 2007: Ord. 2762 § 1, 2002: Ord. 646 § 2, 1979: Ord. 262 § 2, 1967)**

### **2.12.030 – Deputies, assistants, and other personnel.**

Subject to the approval and authorization thereof by the board of county commissioners, the coroner may appoint and employ such deputy or deputies, and such other personnel, as may be necessary for proper administration of his office and performance and discharge of his responsibilities and duties. He may also request the county commissioners to engage such professional assistance and services as may be necessary on a contractual basis.

**(Ord. 262 § 3, 1967)**

### **2.12.040 – Bond.**

The county coroner shall give bond, issued by a bonding or surety company authorized to do business in the state of Nevada, in a sum not less than ten thousand dollars nor more than fifty thousand dollars as fixed by the board of county commissioners, and such bond shall be conditioned for the faithful performance of the duties of his office. The county coroner shall be authorized to require bond to himself on the part of any of his deputies in an amount not to exceed ten thousand dollars. The expense or premium for the county coroner's bond, or the bond of his deputies, shall be paid by Clark County. The board may, at any time during the coroner's term of office, require the county coroner or his deputies to give additional sureties on his or their bonds, or to give a new bond. If the coroner or any of his deputies, fails to give bond within the time required by the board of county commissioners, or fails to give additional surety on his bond, or to give a new bond, within the ten days after he has received written notice to do so by the board of county commissioners, the board shall declare the office of such county coroner vacant, and/or may remove and discharge any deputy of the county coroner.

**(Ord. 262 § 4, 1967)**

### **2.12.050 – Register—Requisites.**

The county coroner shall keep an official register, labeled "coroner register", in which he shall enter:

- (1) The name and any aliases of the deceased, when known, including such description as may be sufficient for

identification and which may, in his discretion, include fingerprint records.

- (2) A narrative summary of the circumstances leading to and surrounding the death, together with names and addresses of any witnesses to such events.
- (3) The property taken from the person or premises of the deceased by the coroner or by any other law enforcement agency or officer.
- (4) The date and cause of death, when known, with reference or direction to the detailed medical reports upon which decision as to cause of death has been based.
- (5) Information as to disposition of remains.
- (6) Persons notified of the death, together with a notation of any unsuccessful attempts at notification.
- (7) The date of holding of any inquest.
- (8) The disposition of the property of the deceased made by the coroner.

**(Ord. 262 § 5, 1967)**

## **2.12.060 – Duties.**

It shall be the duty of the county coroner to determine the cause of death of any person reported to him as having been killed by violence; has suddenly died under such circumstances as to afford reasonable grounds to suspect or infer that death has been caused or occasioned by the act of another by criminal means; has committed suicide; and to determine the cause of all deaths as to which applicable state law makes it the duty of the coroner to sign certificates of death.

The county coroner, or his assigned deputy, shall go to the scene of the dead person or persons and investigate all deaths as hereinabove generally described, and also inclusive of deaths as follows:

- (1) Unattended deaths.
- (2) Deaths wherein the deceased has not been attended by a physician in the ten days before death. A previously attending physician shall, however, certify the cause of death to the best of his knowledge.

- (3) Deaths related to or following known or suspected self-induced or criminal abortion.
- (4) Known or suspected homicide, suicide or accidental poisoning.
- (5) Deaths known or suspected as resulting in whole or in part from or related to accident or injury occurring within one year.
- (6) Deaths due to drowning, fire, hanging, gunshot, stabbing, cutting, exposure, starvation, strangulation or aspiration.
- (7) Death in whole or in part occasioned by criminal means.
- (8) Deaths in prison or in part occasioned by criminal means.
- (9) Deaths under such circumstances as to afford a reasonable ground to suspect that the death was caused by the criminal act of another, or any deaths reported by physicians or other persons having knowledge of death for inquiry by coroner.

**(Ord. 2667 § 1, 2001: Ord. 262 § 6, 1967)**

**2.12.070 – Removal or disturbance or remains and effects of deceased prohibited.**

- (a) No person shall disturb or remove, nor search or remove any effects from, the body of a deceased person or persons whose death was occurred under any of the circumstances enumerated in Section 2.12.060 above, from the position in which it is, or has been found, without proper authorization therefor from the county coroner or his authorized deputy, except for the purpose of preserving such body or bodies would endanger the life, safety or health of other persons.
- (b) When necessary, the coroner may lock the premises and apply a seal to all doors and/or windows, to prohibit entrance to the premises pending the arrival of a legally authorized representative of the deceased; provided, that this shall not be done in such manner as to interfere with the investigation being conducted by other law enforcement agencies. Any costs arising from the premises being locked and sealed while occupied by property of the deceased may be a proper and legal charge against the estate of the deceased, and shall be disposed of through the office of the Clark County treasurer. Any weapons, property or evidence related

to the investigation or prosecution of any known or suspected criminal death may, with knowledge of the coroner, be delivered to a law enforcement agency or district attorney, receipt for which shall be acknowledged.

- (c) Where the absence of severe trauma or other obvious signs of death exists in those cases examined by lay persons prior to the arrival of the coroner, medical examiner or other physician, no ambulance attendant, mortician or other person shall remove a body from the place of its discovery for pronouncement of death without prior knowledge of and express approval from the coroner or his appointed deputy. Wilful disregard of the provisions of this section shall be a misdemeanor, subject to the penalties set forth in subsection (e) of this section.

Unauthorized embalming of deceased person's body, when cause of death is stated by coroner to be unknown is a misdemeanor.

- (d) Any person embalming a deceased human body when the coroner or the chief medical examiner has certified in writing that cause of death is unknown and that embalming is not to be done, shall be guilty of a misdemeanor punishable by fine not to exceed five hundred dollars or imprisonment not to exceed six months, or by both said fine and imprisonment. Prosecution may also be made under applicable state law.

Interference with coroner's performance and discharge of official duties is a misdemeanor.

- (e) Any person hindering, obstructing or preventing the coroner's performance and discharge of his official duties shall be guilty of a misdemeanor punishable by fine not to exceed five hundred dollars, or imprisonment not to exceed six months, or by both said fine and imprisonment. Prosecution may also be made under applicable state law.

**(Ord. 262 § 7, 1967)**

## **2.12.080 – Inquest—Duties and procedures.**

- (a) When the county coroner or his deputy has been informed that a person has been killed or committed suicide or has suddenly died under circumstances affording reasonable ground to suspect that the death has been occasioned by unnatural means, he shall immediately notify the office of the prosecutor and police department or sheriff's office having jurisdiction, so as to afford

said prosecutor and police or sheriff's officials an opportunity to assist in the inquiry as to cause of death.

- (b) The coroner shall call an inquest as herein provided if such should be indicated or if such is requested by the prosecutor, or a judge of the district court within the county, but such inquest need not be conducted in any case of death manifestly occasioned by natural cause, suicide, accident or when the death is publicly known to have been caused by a person already in custody.
- (c) In a case where the coroner determines that an officer was involved in the death of an individual, the coroner will call for an inquest, contact the appropriate prosecutor, and utilize the procedure set forth in Section 2.12.020(e) for selection of a presiding officer.
- (d) If an inquest is called for an incident not involving an officer involved death, the coroner shall either designate an inquest hearing officer or a willing and qualified magistrate in Clark County to conduct and preside over the inquest.
- (e) The qualified magistrate in Clark County or inquest hearing officer shall be designated as the presiding officer.
- (f) Once a presiding officer is selected, he shall meet with the coroner and representatives of the prosecutor's office and determine what evidence and witnesses will be needed in order to conduct an inquest.
- (g) The prosecutor will assist the presiding officer with the preparation for the inquest and work at the direction of the presiding officer. The prosecutor shall serve as a neutral presenter of facts. In this role, the prosecutor shall not act as an advocate for any of the interested parties.
- (h) The presiding officer may also meet prior to the inquest with other interested individuals and obtain a list of witnesses who may be subpoenaed and obtain a list of questions that should be asked of witnesses at the inquest.
- (i) The presiding officer and the coroner shall obtain a copy of all records, exhibits or other evidence that they determine to be relevant to the matter under investigation.
- (j) The presiding officer and the coroner shall designate a time and place for holding of an inquest for an incident not involving an



officer involved death. The presiding officer shall subpoena all necessary witnesses to testify at this inquest.

- (k) The presiding officer shall designate a time and place for holding an inquest for an incident involving an officer involved death. The presiding officer shall subpoena all necessary witnesses to testify at this inquest.
- (l) The presiding officer shall request that the Clark County jury commissioner select a panel of fifteen individuals, qualified to serve as an inquest jury panel, to assemble at the time and place previously designated for an inquest.
- (m) The presiding officer shall preside over the inquest and shall insure that the inquest is conducted as an investigatory proceeding and not an adversarial proceeding. The presiding officer should substantially comply with the following procedure:
  - (1) Once an inquest is convened, the presiding officer shall select at random seven jurors from the jury panel to sit as an inquest jury. He shall then conduct a voir dire examination of each juror. If any bias, prejudice or other good and sufficient reason manifests itself during the examination, the juror shall be dismissed and another juror shall be selected.
  - (2) At the inception of the proceedings, the presiding officer shall identify all interested parties that will be permitted to participate in the proceedings and shall make an opening statement indicating that an inquest is not an adversarial proceeding but a fact finding procedure and that the presiding officer, prosecutor and the jurors will be the only individuals allowed to question witnesses. Any other interested parties must submit any proposed questions in writing to the presiding officer or the inquest clerk. After reviewing the proposed questions, the presiding officer may: (a) ask the witness the question; or (b) not ask the question. If the question is not asked, the presiding officer shall orally read the question into the record at the next available opportunity outside the presence of the jury. All unasked questions shall be orally read into the record before the conclusion of the proceedings.
  - (3) The presiding officer in his discretion may allow witnesses who are not subpoenaed to testify, after he has reviewed such testimony outside the presence of the jury.

- (4) The examination of witnesses shall be under oath but informal and the usual rules of evidence shall not apply. The presiding officer shall, however, have the authority to control the questioning of witnesses.
- (5) The exclusionary rule shall be invoked as to all witnesses that are subpoenaed or that may wish to testify.
- (6) The presiding officer shall admonish the jury at each adjournment of the inquest not to:
  - (A) Converse among themselves or with anyone else on any subject connected with the inquest;
  - (B) Read, watch or listen to any report of or commentary on the inquest or any person connected with the inquest by any medium of information, including without limitation newspapers, television and radio; or
  - (C) If they have not been charged, form or express any opinion on any subject connected with the inquest until the cause is finally submitted to them.
- (7) The presiding officer shall have such other authority and power to conduct the inquest as he deems necessary to insure a fair and just hearing. However, the inquest must be conducted so that it is consistent with subsections (M)(1) through (6) of this section.
- (n) Anyone who unreasonably disrupts the inquest or fails to obey the orders of the presiding officer shall be found in contempt of the inquest and may be removed from the proceedings and/or fined one hundred dollars.
- (o) A single inquest may be held with respect to more than one death, where all of such deaths were occasioned by a common cause.

**(Ord. 3567 § 3, 2007: Ord. 1739 § 1, 1995: Ord. 698 § 1, 1980: Ord. 646 § 2, 1979: Ord. 262 § 8, 1967)**

### **2.12.090 – Penalty for failure to attend as juror.**

Every person selected as an inquest juror who shall fail to appear without having a reasonable excuse, shall forfeit any sum not exceeding one hundred dollars to be recovered in any court of competent jurisdiction and paid into the county treasury.

**(Ord. 646 § 3, 1979: Ord. 262 § 9, 1967)**

### **2.12.100 – Oath of jurors when jurors attend.**

Attending inquest jurors shall be sworn by the presiding officer to inquire (1) who the dead person was; (2) when, where and by what means that person came to his death; (3) the circumstances attending the person's death; and (4) render a true verdict thereon according to the evidence.

**(Ord. 646 § 4, 1979: Ord. 262 § 10, 1967)**

**2.12.110 – Fees of jurors—Expenses of transportation of jury.**

- (a) Inquest of jurors shall be entitled to receive for each day's service the sum of fifteen dollars upon certification therefor to the county clerk by the coroner, such payments being audited, followed and paid as are other claims against the county.
- (b) When it is necessary for an inquest jury to travel a greater distance than one mile to view the remains of a dead person, or to the place where the inquest is to be held, the necessary and actual expenses entailed for the transportation of the jury shall also be allowed, but not to exceed nineteen cents per mile only to the person providing the transportation. The claim for such expense shall be audited and paid as are other claims against the county, upon proper certification therefor by the county coroner.

**(Ord. 742 § 1, 1981: Ord. 262 § 11, 1967)**

**2.12.120 – Witnesses—Summoning and examination—Adjournment of inquest.**

- (a) The presiding officer is authorized to issue subpoenas for witnesses, returnable as he may direct, said subpoenas to be served by himself or such person as he may direct. Witnesses at an inquest shall be compensated as provided in law for witnesses required to attend in the courts of this state and such charge shall be a charge against the county.
- (b) The presiding officer may summon and examine as witnesses every person who, in his opinion, or in the opinion of the prosecutor or any of the jurors, has or may have any knowledge of the facts; and he may also summon a qualified surgeon or physician to inspect and examine the body, or hold a postmortem examination thereon or a chemist to make an analysis of the stomach or the tissues of the deceased and to give their professional opinions as to the cause of the death.

**(Ord. 3567 § 4, 2007: Ord. 646 § 5, 1979: Ord. 262 § 12, 1967)**

**2.12.130 – Witnesses failing to attend—Punishment for contempt.**

Any witness failing to obey a subpoena to attend an inquest, may be attached and fined for contempt of such inquest jury, in like manner as in a court of the justice of the peace.

**(Ord. 262 § 13, 1967)**

**2.12.140 – Rendition of verdict—Certifications—Contents.**

- (a) After hearing the testimony, the inquest jury shall deliberate in secret and render their verdict and certify the same in writing, signed by them, and setting forth (1) the name of the deceased; (2) when, where, and by what means, he came to his death; (3) whether the death was by criminal means or whether the death was excusable or justifiable under the law; and (4) the name of the person causing the death, if factually known or reasonably established.
- (b) If the inquest jury is unable to reach a unanimous verdict, the presiding officer shall instruct the inquest jury that a four-to-three majority is required for a verdict.

**(Ord. 646 § 6, 1979: Ord. 262 § 14, 1967)**

**2.12.150 – Testimony reduced to writing—Filed in the office of the coroner.**

Testimony at such inquest shall be reduced to writing without delay, and filed in the office of the coroner of Clark County.

**(Ord. 262 § 15, 1967)**

**2.12.160 – Action of prosecutor after inquest.**

If the inquest jury finds that the person was killed by another under circumstances not excusable or justifiable in law, and the party committing the act is not already in custody, the prosecutor shall take such action as he deems necessary.

**(Ord. 3567 § 5, 2007: Ord. 646 § 7, 1979: Ord. 262 § 16, 1967)**

**2.12.180 – Money, property of deceased—Delivery to the county treasurer.**

The county coroner or his assigned deputy shall establish and maintain adequate receipting and accounting procedures and records respecting decedents' money and personal property and effects. The county coroner or his assigned deputy, as soon as practical, shall deliver to the county treasurer any money or property which may have been found with the deceased, unless released to police or law enforcement officials as evidence, or taken from his possession by court authority. If the county coroner, or his deputy, fails to so pay or deliver such money or property, the county treasurer may recover the

same by an action at law. Nothing in this section contained, shall preclude prosecution under applicable state law.

**(Ord. 262 § 18, 1967)**

**2.12.190 – Duties of the county treasurer pertaining to money and property of deceased.**

Upon payment of any money into the county treasurer's office as above mentioned, the same shall be placed to the credit of the county; if it be property, the county treasurer shall proceed upon notice as provided in state law to sell the same at public sale, and place the proceeds to the credit of the county.

The county treasurer upon receiving from the coroner any money, personal effects and/or property of the deceased, whether real or personal, shall issue a receipt for the same and shall establish an accounting file in the name of the deceased. He shall with the aid of other investigative agencies if necessary, identify and locate the legal heirs of the deceased.

If, after diligent search and inquiry, no legal survivor of the deceased has been found, the county treasurer shall deposit any money to the credit of the county, and, if it be property, shall proceed upon notice as provided in state law, to sell the same at public sale and place the proceeds to the credit of the county.

**(Ord. 262 § 19, 1967)**

**2.12.200 – Payment to representatives of deceased.**

If the money so deposited be demanded within six years, the county treasurer shall pay the same to the person legally authorized to receive it; the same may also be paid at any time subsequent to the expiration of six years to the representatives of the deceased upon order therefor from a competent court or authority invested with the power to allow claims against the county.

**(Ord. 262 § 20, 1967)**

**2.12.210 – Burial of deceased—When a charge against the county.**

After a coroner's inquest, if no one is available to properly take charge of the remains of a deceased, the county coroner shall cause the same to be decently buried and to pay the expense therefor from any money found with the deceased. If no money is found, then the cost of the burial shall be charged against the county at the current indigent rate.

**(Ord. 262 § 21, 1967)**

**2.12.220 – Penalty for failure of coroner to comply.**

Any county coroner who shall violate any of the provisions hereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding one thousand dollars.

**(Ord. 262 § 22, 1967)**

**2.12.230 – Notification of death.**

- (a) It shall be the duty of every person who knows of the existence and location of a dead body coming under the jurisdiction of the county coroner as herein set forth to notify the coroner thereof in the most expeditious manner possible.
- (b) A physician, funeral director, or any other person having knowledge of a death which has occurred, or having charge or custody of a body where death has occurred, shall immediately notify the county coroner if he has knowledge that said death has occurred (1) without medical attendance; (2) during the continued absence of the attending physician; (3) where the attending physician is unable to state the cause of death; (4) where suicide is suspected; (5) following an injury or an accident; (6) under such circumstances justifying a reasonable inference that the death was caused by the criminal act of another.

**(Ord. 262 § 23, 1967)**

**2.12.240 – Powers and duties of coroner in examination of bodies and performance of autopsies.**

If the preliminary investigation of the county coroner, or of others assisting him, has failed to satisfy the coroner or medical examiner as to the cause of the particular death, or where reasonable grounds exist to suspect that a crime has been committed, the county coroner, or medical examiner, if he is paid by salary, is hereby authorized to:

- (1) Take possession of, and inspect, the body of the deceased person, which shall include the power to exhume such body, and no search warrant shall be necessary for access thereto.
- (2) In his discretion, make or cause to be made, an analysis of the stomach, blood, or contents of organs, or tissue of the body and secure professional opinions as to the result of such postmortem examination. The information so secured shall be reduced to writing and filed by the coroner in his records of the death of the deceased person. In his discretion, the county coroner, may, if the circumstances warrant it, hold an inquest as hereinbefore provided. The county coroner or medical examiner shall have the right to

retain only such tissue of the body removed at the time of an autopsy as may in his opinion be necessary or advisable to make proper investigation of the case, or for verification of the findings related to the cause of death.

- (3) The county coroner, if he is a physician, or any person assisting him, who may be duly licensed by the state of Nevada to do so, may perform an autopsy of any remains as to which the coroner has jurisdiction and authority as herein provided if he deems such essential to establishing cause of death or if ordered to do so by the district attorney of Clark County or by a judge of the district court within Clark County. He may also perform an autopsy if the deceased, prior to his death, has authorized such an autopsy in his will or other written instrument, or upon receipt of a written authorization from a person representing himself to be any of the following: (A) the surviving spouse; (B) a surviving child or parent; (C) a surviving brother or sister; or (D) any other kin or person who has, or has acquired the right to control the disposition of the remains; or (E) the district attorney of Clark County, Nevada, or any other duly authorized public officer; provided however, that autopsies so requested shall be paid for by such person(s) or the estate of the deceased, and shall not be a charge against the county.

**(Ord. 262 § 24, 1967)**

#### **2.12.250 – Duties of the medical examiner.**

The designated medical examiner, upon being notified by the office of the coroner of the location of a deceased human body and the circumstances of the case requiring further medical inquiry shall, at the earliest possible time thereafter, conduct a medical examination, a partial, or a complete autopsy as may be required, and shall immediately report his findings in writing, stating the cause of death, if known, or that additional microscopic, toxicological, or other studies are necessary to establish the cause of death. Such reports shall reflect whether or not the body is medically released for final disposition, pending issuance of the detailed autopsy report.

**(Ord. 262 § 24A, 1967)**

#### **2.12.260 – Issuance of death certificate.**

The cause of death appearing on a certificate of death signed by the coroner shall be in conformity with facts ascertained from inquiry, autopsy and other scientific findings. In case of death without medical attendance and without violence, casualty, criminal or undue means, the coroner may, without holding

an inquest or autopsy, make the certificate of death from statements of relatives, persons last in attendance, or persons present at the time of death, after due medical consultation and opinion has been given by one qualified and licensed to practice medicine and so recorded in the records of death, providing such information affords clear grounds to establish the correct medical cause of death within accepted medical practice and within the requirements for accuracy prescribed by the Division of Vital Statistics of the State Division of Health.

(Ord. 262 § 24B, 1967)

### **2.12.270 – Designation of morgue or mortuaries.**

The county coroner is authorized, equitably, to designate one or more commercial mortuaries, if furnished with sufficient accommodations and facilities, to receive bodies. No person or firm operating a morgue or mortuary, and no person employed in the same, shall be liable for the acts of the county coroner, or for the acts of his deputies or other persons assisting said coroner, performing the removal of any body to a morgue or mortuary, or for the performance of any autopsy upon such body.

(Ord. 600 § 1, 1979; Ord. 262 § 25, 1967)

### **2.12.280 – Notification of deceased's relatives—Release and disposition of remains.**

The county coroner shall use due diligence to locate and notify the relatives of the deceased of the death, and of the location of the remains.

The county coroner, after his investigation has been completed and upon proper identification of the body by the next of kin, legal representative, or close friend, who assumes responsibility for burial, shall release the body to such claimant.

The body of any unknown or unclaimed person shall be buried by order of the county coroner after a period of not to exceed ten days from completion of the coroner's investigation.

(Ord. 262 § 26, 1967)

### **2.12.290 – Cooperation of county agencies, officials and employees.**

All public agencies, officials and employees, and particularly those of law enforcement agencies and district attorney's offices are hereby authorized and required to cooperate with and assist the county coroner's office for proper discharge of the responsibilities and duties of such office.

(Ord. 262 § 27, 1967)

### **2.12.300 – Rules and regulations.**



The county coroner may from time to time promulgate such rules and regulations as may be deemed necessary to carry out the purpose of this chapter, and such rules and regulations shall have the same effect in law as the provisions of this chapter when approved by the county commissioners.

**(Ord. 262 § 28, 1967)**

**2.12.310 – Use of professional services.**

The county coroner, subject to approval of the board of commissioners, is authorized by contract, to engage any desired toxicological service properly required for performance of his duties.

**(Ord. 262 § 29A, 1967)**

**2.12.320 – Contract agreement for pathological services.**

At the request of the county corner the board of county commissioners may enter into contractual agreements for any required pathological services deemed necessary or desirable for proper performance of the duties and responsibilities of the coroner's office.

**(Ord. 262 § 29B, 1967)**

**2.12.330 – Schedule of fees for medical examiner and autopsy services.**

The fees for applicable services, professional or otherwise, entailed or connected with medical examination and autopsy services performed or rendered is set forth below:

<b>Medical Examiner and Autopsy Service</b>	<b>Required Fee</b>
<b>Transportation to Mortuary</b>	<b>\$60.00 per Decedent</b>
<b>Autopsies requested by other Counties</b>	<b>\$2,500.00 per Autopsy</b>
<b>Medical Examinations requested by Other Counties</b>	<b>\$400.00 per Exam</b>
<b>Coroner Autopsy Report</b>	<b>\$30.00 per Report</b>
<b>Coroner Investigative Report</b>	<b>\$10.00 per Report</b>
<b>Coroner Toxicology Report</b>	<b>\$15.00 per Report</b>

**(Ord. 3268 § 1, 2005: Ord. 3089 § 1, 2004: Ord. 2928 § 1, 2003: Ord. 262 § 29C, 1967)**

**2.12.340 – Recording duties.**

To the extent deemed necessary and desirable the coroner shall establish the form and required matters of substance which shall be recorded by any and all personnel, professional or otherwise, performing any of the functions or services authorized or performed pursuant to this chapter.

**(Ord. 262 § 29D, 1967)**